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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

February 10, 2014

CERTIFIED RETURN RECEIPT
7005 0390 0005 5857 2978

Gordon Ziegler
Ziegler Chemical and Mineral
368 North Broadway, Suite 210
Jericho, New York 11753-2000

Subject: Notification of Surety Bond Rating Change; Ziegler Chemical and Mineral; Cowboy/Bandana, Neal State, and Tom Taylor Mines; M/047/0013, S/047/0063, and S/047/0065; Uintah County, Utah

Dear Mr. Ziegler:

The Division of Oil, Gas and Mining has been notified that that the performance rating for Bond Safeguard Insurance Company, the company providing the reclamation sureties for the Cowboy/Bandana, Neal State, and Tom Taylor mines, has dropped to an unacceptable level. The A.M. Best Rating for Bond Safeguard Insurance Company has dropped to B+.

The following rule applies to all corporate surety bonds held by the Division:

*A corporate surety bond from a surety company that is licensed to do business in Utah, that is listed in "A.M. Best's Key Rating Guide" at a rating of A- or better or a Financial Performance Rating (FPR) of 8 or better, according to the "A.M. Best's Guide". . . . **When the Division in the course of examining surety bonds, notifies an operator that a surety company guaranteeing its performance does not meet the standards of subsection 4.11, the operator has 120 days after notice from the Division by mail to correct the deficiency, or face enforcement action (emphasis added).** (Rules R647-4-113.4.11, R647-3-111.4.11, and R647-2-111.4.11)*

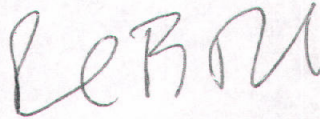
The Division must receive confirmation that this rating has been upgraded to the A- minimum classification, or receive a replacement reclamation surety within 120 days of your receipt of this notice. The replacement surety may be submitted in the form of another surety bond, a letter of credit, a certificate of deposit, or cash. Please contact the bonding coordinator, Penny Berry, at 801-538-5291 for additional information about submitting the new surety.

Failure to comply with the requirements of this letter may force the Division to take appropriate enforcement action, including issuance of fines and ordering cessation of operations.

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Thank you for your cooperation and understanding. If you have questions about the requirements of this letter, please contact Penny Berry at the number shown above, Leslie Heppler at 801-538-5258, or me at 801-538-5261.

Sincerely,

A handwritten signature in dark ink, appearing to read "P. B. Baker". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Paul B. Baker
Minerals Program Manager

PBB:pb
cc: Steve Alder, Kass Wallin, and Doug Crapo, AAG
Bill Buge, BLM (bbuge@blm.gov), Jerry Mansfield, SITLA (jmansfield@utah.gov)
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